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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES - Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

2010 MAY 11 P 1:30

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

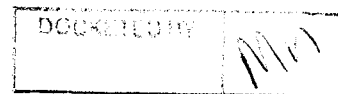
IN THE MATTER OF THE APPLICATION OF  
HUALAPAI VALLEY SOLAR LLC, IN  
CONFORMANCE WITH THE REQUIREMENTS  
OF ARIZONA REVISED STATUTES §§ 40-360.03  
AND 40-360.06, FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY  
AUTHORIZING CONSTRUCTION OF THE HVS  
PROJECT, A 340 MW PARABOLIC TROUGH  
CONCENTRATING SOLAR THERMAL  
GENERATING FACILITY AND AN  
ASSOCIATED GEN-TIE LINE  
INTERCONNECTING THE GENERATING  
FACILITY TO THE EXISTING MEAD-PHOENIX  
500kV TRANSMISSION LINE, THE MEAD-  
LIBERTY 345kV TRANSMISSION LINE OR THE  
MOENKOPI-EL DORADO 500kV  
TRANSMISSION LINE.

DOCKET NO. L-00000NN-09-0541-  
00151

CASE NO. 151

Arizona Corporation Commission  
**DOCKETED**

MAY 11 2010



**PROCEDURAL ORDER**

**BY THE COMMISSION:**

On April 14, 2010, the Arizona Corporation Commission ("Commission") issued Decision No. 71648, conditionally granting a Certificate of Environmental Compatibility ("CEC") to Hualapai Valley Solar LLC ("HVS" or "Applicant") for the construction of the HVS project, a 340 MW parabolic trough concentrating solar thermal generating facility and an associated gen-tie line interconnecting the generating facility to the existing Mead-Phoenix 500kV transmission line, the Mead-Liberty 345kV transmission line or the Moenkopi-El Dorado 500kV transmission line. The Commission directed its Hearing Division to expeditiously schedule a procedural conference to, among other things, establish a procedural schedule for the subsequent A.R.S. § 40-252 proceeding and establish procedures for noticing this matter to the public. The Commission also indicated its desire to grant the requests to intervene in this matter filed by Susan A. Moore-Bayer and Denise Herring-Bensusan.

On April 16, 2010, a Procedural Order was issued scheduling a procedural conference for

1 May 6, 2010, and granting the intervention requests of Ms. Moore-Bayer and Ms. Herring-Bensusan.

2 On April 27, 2010, a Procedural Order was issued granting a request for intervention filed by  
3 Mohave County.

4 On May 6, 2010, the procedural conference was held, as scheduled, to discuss hearing dates  
5 and other procedural matters.

6 On May 10, 2010, the Applicant filed a Notice of Filing Proposed Notice of Hearing. HVS  
7 attached a proposed form of notice that it represents was circulated to all parties, and that the  
8 Applicant received responses from all parties except Ms. Moore-Bayer. The Applicant requested  
9 expedited issuance of a Procedural Order approving the proposed notice, in order to comply with  
10 publication deadlines and to allow an opportunity for additional intervention requests.

11 IT IS THEREFORE ORDERED that the **evidentiary hearing** in the above-captioned matter  
12 shall commence on **June 15, 2010, at 10:00 a.m.** or as soon thereafter as is practical, at the **Kingman**  
13 **Powerhouse, 120 W. Andy Devine Avenue, Kingman, Arizona 86401.**

14 IT IS FURTHER ORDERED that the parties shall set aside **June 16, 17, and 18, 2010**, for  
15 additional days of hearing, if necessary.

16 IT IS FURTHER ORDERED that **all parties shall pre-file written testimony with the**  
17 **Commission's Docket Control (original and 13 copies), setting forth their respective positions in**  
18 **this matter, by no later than June 7, 2010.** A copy of each party's testimony shall also be served  
19 on all other parties.

20 IT IS FURTHER ORDERED that **HVS shall arrange for the transcript of the public**  
21 **comment session and the evidentiary hearing to be docketed on an expedited basis.**<sup>1</sup>

22 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,  
23 except that **all motions to intervene must be filed on or before May 28, 2010.**

24 IT IS FURTHER ORDERED that HVS shall publish once in a newspaper of general  
25 circulation, the following public notice of the hearing in this matter, in the following form and style  
26 with the heading in no less than 24 point bold type and the body in no less than 10 point regular type:  
27

28 <sup>1</sup> Within seven calendar days of each hearing day.

**PUBLIC NOTICE OF HEARING CONCERNING THE CERTIFICATE  
OF ENVIRONMENTAL COMPATIBILITY FOR THE HUALAPAI  
VALLEY SOLAR LLC PROJECT, A 340 MW PARABOLIC TROUGH  
CONCENTRATING SOLAR THERMAL GENERATING FACILITY AND  
AN ASSOCIATED GEN-TIE LINE**  
**Docket No. L-00000NN-09-0541-00151**

**Summary and Availability of Additional Information**

On April 14, 2010, the Arizona Corporation Commission ("Commission") conditionally granted a Certificate of Environmental Compatibility ("CEC") to Hualapai Valley Solar LLC ("Company") and ordered that the matter be reopened to consider requests for intervention and conduct supplemental proceedings pursuant to A.R.S. § 40-252 to allow the Company and any intervenors to provide additional information on the issues in the initial CEC application. The Company's application, the Commission's April 14, 2010 Decision, and all other documents in the record are available for public inspection during regular business hours at the Commission's Docket Control Center located at 1200 West Washington, Phoenix, Arizona, 85007, and on the internet via the Commission's website ([www.azcc.gov](http://www.azcc.gov)) using the e-docket function.

**Commission Public Hearing**

The Commission will hold a hearing on this matter beginning June 15, 2010, at 10:00 a.m. at the Kingman Powerhouse, 120 W. Andy Devine, Kingman, Arizona 86401. Public comments will be taken on the first day of the hearing. Written public comments may be submitted by mailing a letter referencing Docket No. L-00000NN-09-0541-00151 to the Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by e-mail to [Mailmaster@azcc.gov](mailto:Mailmaster@azcc.gov). For a form to use and instructions on how to e-mail comments, go to <http://www.azcc.gov/Divisions/Utilities/forms/PublicCommentForm.pdf>. If you require assistance, you may contact the Consumer Services Section at 602-542-4251 or 1-800-222-7000.

**About Intervention**

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. The granting of motions to intervene shall be governed by A.A.C. R14-3-105. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you wish to intervene, you must file an original and 13 copies of a written motion to intervene with the Commission no later than **May 28, 2010**, and send a copy of the motion to intervene to the Company or its counsel and to all parties of record. Your motion to intervene must contain the following:

1. Your name, address, and telephone number and the name, address and telephone number of any person upon whom service of documents is to be made if different from the intervenor.

2. A short statement of your interest in the proceeding.
3. A statement certifying that you have mailed a copy of the motion to intervene to the Company or its counsel and to all parties of record in the case.

For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments for the record of the case.

#### **ADA/Equal Access Information**

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, and may request this document in an alternative format by contacting the ADA Coordinator, Shaylin Bernal, at [sabernal@azcc.gov](mailto:sabernal@azcc.gov), voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that HVS shall publish the above notice, by no later than May 14, 2010, in a publication of general circulation in Mohave County.

IT IS FURTHER ORDERED that HVS shall file with the Commission's Docket Control, by no later than June 1, 2010, certification that public notice was given in accordance with this Procedural Order.

IT IS FURTHER ORDERED that notice in accordance with this Procedural Order shall be deemed complete upon the mailing and public posting of notice, notwithstanding the failure of an individual landowner to read or receive the notice.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) applies to this proceeding as the matter is now set for public hearing.

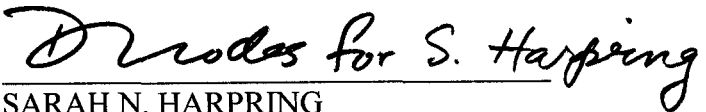
IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro hac vice*.

...

...

IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 11<sup>th</sup> day of May, 2010.



SARAH N. HARPRING  
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered  
This 11<sup>th</sup> day of May, 2010 to:

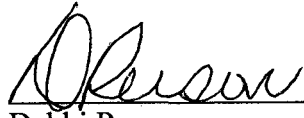
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By:   
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